

**U.S.S.N. 09/360,242**  
**MCDONALD *et al.***  
**SUPPLEMENTAL RESPONSE**

Provided is a an executed DECLARATION of Dr. McDonald; an unexecuted copy was provided with the previous response. The DECLARATION provides an analysis of the disclosure and teachings of the Roby *et al.* and demonstrates that the conjugates of Roby *et al.* do not contain a chemokine receptor targeting agent or a portion thereof that results in binding to chemokine receptors and internalization of the targeted agent. The DECLARATION of Dr. McDonald, the arguments in the previous response and the attached references demonstrate that the conjugates of Roby *et al.* cannot and do not bind to chemokine receptors, including chemokine receptors present on activated leukocytes. The conjugates, which contain a terminal portion of MGSA/GRO $\alpha$  bind to a receptor on melanoma cells that is distinct from the receptors to which chemokines, including MGSA/GRO $\alpha$  bind. The DECLARATION provides evidence based upon the data in Roby *et al.* that internalization by the melanoma cells is not effected via binding to the receptor, but occurs by virtue of diffusion. The receptors on melanoma cells with which the conjugates bind appear to serve to sequester the conjugates for diffusion of the drug. Binding to chemokine receptors present on immune cells requires the presence residues near the N-terminus of a chemokine, such as MGSA/GRO $\alpha$ .

Thus, Roby *et al.* discloses and teaches conjugates that include a melanoma cell targeting agent that bind to melanoma cells, not immune cells. Roby *et al.* does not disclose, teach or suggest any methods for treatments of inflammatory responses by targeting immune cells.

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In view of the above amendments and remarks, reconsideration and allowance of the application are respectfully requested.

Respectfully submitted,  
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By: \_\_\_\_\_

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